

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on October 16, 1984, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
 Tim Johnson, Vice Mayor
 Charles G. DeMirjyn, Councilman
 Oddie J. Martinez, Jr., Councilman
 Richard N. Larsen, Councilman

 John E. Holmes, City Manager
 Dallas Holmes, City Attorney
 Lorrie Poyzer, City Clerk
 Lauren Richards, Redlands Daily Facts
 Pat Brown, The Sun

ABSENT

None

The meeting was opened by Mayor Beswick with the pledge of allegiance followed by an invocation by Councilman Larsen.

Minutes of the regular meeting of October 2, 1984, were approved as submitted.

Bills and salaries were ordered paid as approved by the Finance Committee.

PLANNING AND COMMUNITY DEVELOPMENTConditional Use Permit No. 408 - Redlands 27 Ltd.

Councilman Martinez moved to approve the Environmental Review Committee's Negative Declaration for Conditional Use Permit No. 408 for a 172-unit mobile home park on 30 acres of land located on the northeast corner of Pioneer Avenue and Orange Street, R-1 Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman DeMirjyn and carried unanimously.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Conditional Use Permit No. 408 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Martinez moved to approve Conditional Use Permit No. 408 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated September 25, 1984. Motion seconded by Councilman DeMirjyn and carried unanimously.

Conditional Use Permit No. 411 - Bek Consulting Engineers and Carney-Theodreau

Councilman Johnson moved to approve the Environmental Review Committee's Negative Declaration for Conditional Use Permit No. 411 for a proposed 50-unit apartment complex on approximately 3.14 acres of land located on the southwest corner of Lugonia Avenue and University Street, R-2 Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Martinez and carried unanimously.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Conditional Use Permit No. 411 together with the provisions for its design and improvements is consistent with the City's General Plan and any applicable specific plans; that one of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Johnson moved to approve Conditional Use Permit No. 411 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in the Planning Commission minutes dated September 25, 1984. Motion seconded by Councilman Martinez and carried unanimously.

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

Tentative Tract No. 12811 - Dr. K. H. Clifford

Responding to Council's questions, Public Works Director Donnelly explained his reasons for requiring*and Minor Subdivision No. 142 (Following immediately in these minutes) to design a master plan alignment for Allesandro Road between Crescent Avenue and Sunset Drive and the construction of standard curbs and gutters. These requirements are in compliance with our City Codes; following proper procedure, Mr. Donnelly has urged both developers to sign an improvement agreement covering these requirements.

Speaking for the applicant of Tentative Tract No. 12811, Harold Hartwick felt this master plan alignment requirements was a little out of the ordinary as the general public and the City will benefit from it, and he did not feel the developer should have to do it. He asked that Public Works Requirement 7a and 7b be deleted. Speaking on behalf of the applicant for Minor Subdivision No. 142, Ken King expressed the same concern and stated they were willing to pay their fair share of the improvements based on frontage, but that it was not fair to have to pay for all of it. Dr. Clifford, one of the applicants, questioned the legality of asking a developer to provide a master plan and placing a cloud over the whole project. Eugene Owen, a neighbor, also was willing to give up only his fair share of property to widen the street. Speaking as a real estate broker, Lois Lauer also expressed concern.

Council discussed this at length agreeing it was not fair to these two developers to require a master plan. Councilman Johnson moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 12811 for the subdivision of 14.2 acres of land into 16 lots for property located on the southwest corner of Allesandro Road and Crescent Avenue, R-E Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Martinez and carried unanimously.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Tentative Tract No. 12811 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Johnson moved to approve Tentative Tract No. 12811 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated October 9, 1984, and deleting Public Works Department, Engineering Division Requirement No. 7a pertaining to the Allesandro Road master plan alignment. Motion seconded by Councilman Martinez and carried unanimously.

Minor Subdivision No. 142 - Helen C. Dietrick and C. Anne Gailey, Trustee
(see discussion above for Tentative Tract No. 12811)

Councilman Martinez moved to approve the Environmental Review Committee's Negative Declaration for Minor Subdivision No. 142 for the subdivision of approximately four acres of land into four lots for property located on the northeast corner of Sunset Drive and Allesandro Road, R-E Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Johnson and carried unanimously.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Minor Subdivision No. 142 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Martinez moved to approve Minor Subdivision No. 142 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated October 9, 1984, and deleting Public Works Department, Engineering Division Requirement No. 7a pertaining to the Allesandro Road master plan alignment. Motion seconded by Councilman Johnson and carried unanimously.

* this project

PLANNING AND COMMUNITY DEVELOPMENT (Continued)Low-Income Rental Agreement - EPAC Development

EPAC Development has obtained approval for a 144-unit condominium at the northwest corner of Brookside Avenue and Tennessee Street. In September, 1983, Council approved an agreement to limit the sale price of 36 units for moderate-income households. EPAC is now requesting consideration of a revised agreement for low-income rentals. Staff has worked closely with EPAC for two months on the scope and details of the agreement and the Housing Commission has reviewed it. Councilman Martinez moved to approve this agreement with EPAC Development and to authorize the Mayor to sign on behalf of the City. Motion seconded by Councilman Larsen and carried by the following vote:

AYES: Councilmembers Johnson, Martinez, Larsen; Mayor Beswick

NOES: Councilmember DeMirjyn

Council recessed at 4:05 P.M. to a Redevelopment Agency meeting and reconvened at 4:20 P.M.

BIDS

Sylvan Park
Restroom

On motion of Councilman Martinez, seconded by Councilman DeMirjyn, Council unanimously authorized advertising for bids for the preparation of working drawings and specifications under the guidelines of the Land and Water Conservation Fund Program for the Sylvan Park restroom.

APPLICATIONS AND PETITIONS

Bowl
Fees

The Redlands Music Booster, Inc. has requested Council to waive the standard fee for use of the Redlands Bowl on December 2, 1984, for a fund raising event. It was noted that all organizations have been charged in the past for bowl rental except the Redlands Music Association and the Redlands Unified School District for baccalaureate and commencement ceremonies. Expressing concern about setting a precedent, Councilman Larsen moved to deny this request. Motion seconded by Councilman DeMirjyn, and carried by the following vote:

AYES: Councilmembers Johnson, DeMirjyn, Larsen; Mayor Beswick

NOES: Councilmember Martinez

COMMISSION/BOARD MATTERS

Resolution
No. 3992

Traffic Commission - On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Resolution No. 3992, a resolution of the City Council of the City of Redlands establishing traffic regulations governing the speed limits on Orange Street, was unanimously approved.

Speed Limits

Resolution
No. 3993

Resolution No. 3993, a resolution of the City Council of the City of Redlands establishing traffic regulations governing the speed limits on Cajon Street, was unanimously approved on motion of Councilman DeMirjyn, seconded by Councilman Martinez.

Speed Limits

Resolution
No. 3994

Resolution No. 3994, a resolution of the City Council of the City of Redlands establishing traffic regulations governing the speed limits on University Street, was unanimously approved on motion of Councilman DeMirjyn, seconded by Councilman Martinez.

Speed Limits

Appointment

Parks Commission - Councilman Larsen moved to appoint Peter Davis to fill a term on the Parks Commission which will expire June 16, 1986. Motion seconded by Councilman Johnson and carried unanimously.

COMMUNICATIONS

Annexation

Mayor Beswick announced a meeting for property owners in the southeast area of Redlands will be held on November 14, 1984, at 7:00 P.M. at Mariposa School to discuss the possibility of annexation to the City.

A group picture will be taken of the City Council on November 6, 1984, at 2:30 P.M. at Kimberly Crest.

Christmas
lights

Councilman Larsen moved that City Staff assist the Business Improvement District in putting up lights in the trees for the Christmas season. Motion seconded by Councilman Martinez and carried unanimously.

Appointment

Councilman Larsen congratulated Vice Mayor Johnson on his recent appointment by the Governor to the Santa Ana Regional Water Quality Board.

Cycling
event

A meeting has been held with Peter Brandt, Pat Weber, Councilman Larsen, and Mayor Beswick to organize the Cycling event to be held on Memorial Day, 1985, in Redlands.

UNFINISHED BUSINESS

Ordinance No. 1851	Ordinance No. 1851, an ordinance establishing a Medical Facilities District was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Johnson, further reading of the ordinance was unanimously waived. Ordinance No. 1851, an ordinance of the City of Redlands amending Ordinance No. 1000 by adopting Zoning Ordinance No. 1000 Amendment No. 170 which establishes a Medical Facilities District, was adopted on motion of Councilman DeMirjyn, seconded by Councilman Johnson, by the following vote: AYES: Councilmen Johnson, DeMirjyn, Martinez, Larsen; Mayor Beswick NOES: None ABSENT: None
Medical Facilities District	
Policy	Council again reiterated its policy that an eating establishment must be compatible with permitted medical uses and not necessarily connected to a medical building.
Ordinance No. 1852	Ordinance No. 1852, an ordinance amending Property Development Standards for parking and landscape planters, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Johnson, further reading of the ordinance was unanimously waived. Ordinance No. 1852, an ordinance amending Zoning Ordinance No. 1000 of the City of Redlands by adopting Amendment No. 171 thereto, was adopted on motion of Councilman Martinez, seconded by Councilman Johnson, by the following vote: AYES: Councilmen Johnson, DeMirjyn, Martinez, Larsen; Mayor Beswick NOES: None ABSENT: None
Property Development Standards	
Funds	Community Services Administrator Rodriguez reported on the results of a survey of City employees regarding membership at the Y.M.C.A.; 69 percent of the employees were in favor of the proposal. Councilman Larsen moved to approve an additional appropriation in the amount of \$6,750.00 from the insurance fund for the purpose of establishing an Exclusive Corporation Membership for all city employees at the Redlands Family Y.M.C.A. Motion seconded by Councilman Johnson and carried by the following vote: AYES: Councilmembers Johnson, Martinez, Larsen; Mayor Beswick NOES: Councilman DeMirjyn
YMCA Membership	Councilman Larsen moved that the sum of \$500.00 be appropriated from the insurance fund for the purpose of establishing a reimbursement program through the Y.M.C.A. Corporate Membership for city employees who participate in programs above and beyond the corporate membership level. Motion seconded by Councilman Johnson and carried by the following vote: AYES: Councilmen Johnson, Martinez, Larsen; Mayor Beswick NOES: Councilman DeMirjyn

NEW BUSINESS

Resolution No. 3998	Proposition 36, the Jarvis IV Initiative, which will be on the November 6 1984, ballot, will result in the largest single property tax increase in the State's history for anyone who purchased property in the past eight years; the proceeds from those increased taxes will be used to fund the largest single refund checks in the State's history to the six largest utilities in California; Proposition 36, by further restricting local government's ability to raise money for the necessary improvements to roads, sewer, and water lines, will transfer the control over such projects to Sacramento; this proposition would result in the total default of the State Water Project, despite claims to the contrary by the author of the proposition; any jeopardizing of the State Water Project could bring severe economic depression to all of California; the property tax savings received by landlords and mobile home park owners can remain with the owners, as none of these savings are required to be passed on to the tenants or mobile home coach owners under the proposition; this proposition could adversely effect the City's paramedic program since assessments may only be used for capital improvements; and further provisions of this initiative make it unlawful to charge the full cost of providing services to the residents. Councilman Martinez moved to approve Resolution No. 3998, a resolution of the City Council of the City of Redlands opposing Proposition 36. Stating Council has a responsibility to inform the public of the impact this initiative will have on the City Councilman Johnson seconded the motion which carried by the following vote: AYES: Councilmen Johnson, Martinez, Larsen; Mayor Beswick NOES: None ABSTAIN: Councilman DeMirjyn
Oppose Proposition 36	
Jarvis IV Initiative	

NEW BUSINESS (Continued)

Resolution No. 3999	Resolution No. 3999, a resolution of the City Council of the City of Redlands supporting Proposition 30 which places before the voters of California on November 6, 1984, a bond measure to provide funding for senior centers and other related purposes, was approved on motion of Councilman Larsen, seconded by Councilman Martinez, by the following vote:
Support Proposition 30	AYES: Councilmen Johnson, Martinez, Larsen; Mayor Beswick NOES: None ABSTAIN: Councilman DeMirjyn
Resolution No. 3996	Resolution No. 3996, a resolution of the City Council of the City of Redlands authorizing the execution of an agreement with the Friends of Prospect Park relating to improvements and solicitation of funds for Prospect Park, was unanimously approved on motion of Councilman DeMirjyn, seconded by Councilman Larsen.
Prospect Park Agreement	
Resolution No. 3997	Resolution No. 3997, a resolution of the City Council of the City of Redlands approving the application for grant funds under the non-profit program of the California Park and Recreational Facilities Act of 1984 for Prospect Park with the Friends of Prospect Park, was unanimously approved on motion of Councilman DeMirjyn, seconded by Councilman Martinez.
Prospect Park Grant Funds	
Bed and Breakfast	Councilman DeMirjyn suggested granting a six-month temporary bed and breakfast permit for the Morey House. Council discussed this at length and concluded it was premature to discuss this until the bed and breakfast ordinance was approved, and instructed staff to include this ordinance on the agenda for the workshop meeting scheduled for October 30, 1984, at 7:00 P.M.
Claim	On motion of Councilman Martinez, seconded by Councilman DeMirjyn, the claim of Alan J. Barnett in the amount of \$3,000,000 was unanimously found not to be a proper charge against the City and therefore rejected. Council recessed at 5:10 P.M. to a closed session for the purpose of discussing matters covered by attorney/client privilege. Council reconvened at 7:00 P.M.

PUBLIC HEARING

Ordinance No. 1853	Public hearing was advertised for this time and place for Ordinance No. 1853, which establishes a change of zone from A-1 (Agricultural) District to R-2 (Multiple Family Residential) District for approximately 4.7 acres of property located at the northwest corner of Orange Avenue and Kansas Street as recommended by R.P.C. No. 616. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this change of zone.
One Change No. 266	Pat Meyer, representing the property owner, stated they concurred with this recommendation of the Planning Commission. There being no further comments, the public hearing was declared closed. Ordinance No. 1853, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional land use district map as part of the Official Land Use District Map and effecting Zone Change No. 266, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Johnson, further reading of the ordinance was unanimously waived. Ordinance No. 1853 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for November 6, 1984, on motion of Councilman Martinez, seconded by Councilman DeMirjyn. The public hearing advertised for this time and place on Ordinance No. 1854 for the proposed Specific Plan No. 34 has been postponed and will be re-advertised.

WORKSHOP - PROPOSITION R

	City Attorney Holmes briefed Council and the large audience present in the Chambers on his memorandum dated August 17, 1984, which addressed legally permissible changes in the City's current application of Proposition R to new residential development. He reviewed provisions covered in the initiative and portions of the implementing legislation as follows: subdivisions, life of development allocations, unused development allocations, 35 unit limit per round, and outside water and sewer connections. He indicated this memorandum containing suggestions was not exhaustive but does show the kinds of changes in Proposition R's implementation which the City Council could, in the City Attorney's opinion, choose to effect. He also covered other changes that have been
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WORKSHOP - PROPOSITION R (Continued)

Proposition
R
Workshop

suggested which the City Attorney feels would not be legally permissible without amendment by the voters of the basic text of Proposition R.

The following people addressed Council: Pat Meyer, speaking for the Commercial and Industrial Committee of the Chamber of Commerce, again asked that the Redevelopment Area be removed from the parameters of Proposition R. William Emrick, one of the principal authors of the initiative ordinance, stated that Proposition R applies to all dwelling units and that the authors set the number of units but wanted Planning to set up the quality standards. Henry Van Mouwerik commended Council for their action regarding apartments and felt there should be further relaxation within the confines of Proposition R; he also suggested the preparation of a detailed determination of actual costs for processing the allocations. John Moore, indicated the limit of 450 allocations per year was not a particular problem, but that the processing time is costly and time consuming to the developer; he suggested reactivating the committee to study tonight's suggestions. Louis Fletcher stated he thought Proposition R may be an illegal use of the initiative process, a violation of constitutional rights, and could be considered reverse condemnation. Bob Mitchell expressed concern that the recent action to exempt apartments from Proposition R may lead to other exemptions such as mobilehomes; stated apartments are under the provisions of Proposition R, and that this matter should be put on the ballot for a vote. Lawrence Wormser served on the committee to implement Proposition R and said they had wanted to meet a year or so later to review their implementing ordinance but that it did not happen and perhaps should now. Norman Monson stated that Proposition R allows orderly planned growth, and that the initiative ordinance set the limit of 450 dwelling units including single family, multiple family, and mobile homes. Laura Dymond, representing the San Geronio Chapter of the Sierra Club Conservation Committee stated that Council's action exempting apartments violates the intent of Proposition R and substantially weakens the initiative and that any changes to Proposition R should go through the voters. Planning Commissioner Swen Larson told Council he was distressed how the commission had to judge projects, that the allocations had become a "beauty contest," and felt that the City was losing a lot of commercial development because of the effects of Proposition R. Bob Roberts asked Council for better timing for the allocation process. Jack Cummings, President of the Chamber of Commerce, referred to the Chamber's letter of last June which requested a referendum question be placed on the ballot to allow for a quality life in the downtown area and asked if the unused allocations could be applied to downtown; he felt the initiative process was great but that the implementation process was a problem. Suzanne Chesus told Council the City needed the additional population to support commercial development and downtown redevelopment; that tax dollars will be spent out of Redlands if we continue a no growth attitude. Dr. Ken Roth, another author of the initiative, also felt the committee should meet again as the process has become so complicated; that Proposition R should not be damned, but that the implementation process should be; and that the intent of Proposition R was for moderate growth.

Proposition
R
Committee

Council thanked everyone for their input and comments and discussed reactivating the committee. By a consensus, it was agreed to appoint a committee of nine to eleven people, including members of the old committee and new people who have had to work with the process, to review the allocation process and report back to the Council. School Board Member Bill Cunningham told Council he would appreciate representation on this committee of school people to address overcrowding of the schools.

There being no further business, the meeting adjourned at 9:20 P.M.

Next regular meeting, November 6, 1984.

ATTEST:

Carole Resnick
Mayor of the City of Redlands

Assie Rogers
City Clerk

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